



## **DELTA CITY COUNCIL**

### **REGULAR CITY COUNCIL MEETING**

Thursday, October 6, 2016  
Delta City Building Council Chambers  
76 North 200 West  
Delta, Utah

#### **PRESENT**

Gayle Bunker, Mayor  
Robert Banks, Council Member  
Kiley Chase, Council Member  
Travis Keel, Council Member  
John Niles, Council Member  
Betty Jo Western, Council Member

#### **ALSO PRESENT**

Gregory Jay Schafer, Recorder	Lynn Ashby, Fire Chief
Todd Anderson, City Attorney	Justin Ashby, City Employee
Dent Kirkland, Public Works Director	Randy Morris, City Employee
Travis Stanworth, Asst. Public Works Director	Sam Jacobson, Chronicle-Progress

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the time, place, and the agenda of the meeting had been posted at the City Building, on the Utah Public Notice website, the Delta City website, and had been provided to the Millard County Chronicle-Progress and to each member of the City Council at least two days prior to the meeting. Mayor Bunker led a role call and all Council Members were present. Council Member Western offered the opening remarks. Mayor Bunker led those in attendance in the Pledge of Allegiance.

#### **MINUTES**

The minutes of the Regular City Council Meeting held September 1, 2016 were presented for approval. There was a discussion about the timing of the minutes and it was noted that it was acceptable for the minutes to have the meeting starting at 7:00 p.m. when a full quorum was not present until 7:42 p.m. since the beginning of the meeting was all non-action items up for discussion only. Council Member Banks MOVED to adopt the minutes of the Regular City Council Meeting held September 1, 2016 as presented. The motion was SECONDED by Council Member Western. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Niles, and Council Member Western in favor.

## **ACCOUNTS PAYABLE**

The Council reviewed the accounts payable for the period ending October 6, 2016 in the amount of \$727,314.72. There were some transactions discussed by the Council. Council Member Niles MOVED to approve the accounts payables for October 6, 2016 in the amount of \$727,314.72. The motion was SECONDED by Council Member Banks. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Niles, and Council Member Western in favor.

## **PUBLIC COMMENT PERIOD**

There were no public comments.

## **BUSINESS**

### Resolution 16-403: Adopting Delta City Moderate Income Housing Plan Biennial Report Dated October 6, 2016

Mayor Bunker stated that there had been a few problems found with the Moderate Income Housing Plan that were going to need to be corrected and asked that there be a motion to table the item. Council Member Chase MOVED to table Resolution 16-403: adopting Delta City Moderate Income Housing Plan biennial report dated October 6, 2016 for further review. The motion was SECONDED by Council Member Banks. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Niles, and Council Member Western in favor.

### Council Approval of Emergency Electrical Generation Equipment for the New Fire Station Expending CDBG Funds

Recorder Schafer informed the Council that the process of putting the purchase of a new generator out to bid had been followed as per City Purchasing Policy. Only one company, Cummins, placed a bid of \$25,525.00. There was a brief discussion regarding the bid process. Council Member Banks MOVED to approve the purchase of the emergency electrical generator equipment for the new fire station in the amount of \$25,525.00 from Cummins Rocky Mountain. The motion was SECONDED by Council Member Chase. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Niles, and Council Member Western in favor.

### New Year's Eve

The Mayor asked if there were any new thoughts or plans for the New Year's Eve Celebration to discuss. Council Member Western informed the Council that she had confirmed with Charley Jenkins that he would be able to perform at the celebration. Council Member Western continued that she had also been in contact with an agent and described the options that he had provided. The Council discussed the magicians and suggested that Council Member Western try to book Dan Paulus. There was a discussion about inflatables and City Attorney Anderson stated that it would be a really good idea to look over the company's insurance and make sure that it is sufficient before deciding as the City would be self-insured. The Council agreed that the insurance should be looked into.

### Light Parade

The Mayor informed the Council that the Utah Department of Transportation has increased their requirements for having a parade on a state highway substantially. Mayor Bunker informed the Council that with the amount of participation that the public has had in the parade it might be better to not have a Light Parade this year and try to enhance the event out at the Fairgrounds with Santa Claus and the Festival of Trees. There was a discussion about the UDOT requirements for the parade and the Council agreed that there was not enough time to meet all of the requirements. There was a discussion about having local musicians to entertain at the event, carriage rides or a light ceremony. The Council decided to think it over and try to come up with more ideas. Mayor Bunker informed the Council that there is an individual that is wanting to set up a stand to sell a product at the celebration. There was a discussion about allowing people sell at the Celebration. The Council agreed that commercialism should be kept out of the Celebration so therefore no vendors will be allowed.

### Ordinance 16-271: Amending Title 12 Pertaining to Regulations of Rural Residential Zones, Tobacco Specialty Businesses, and Sidewalk Requirements

The Mayor presented Ordinance 16-271 to the Council saying that the Planning and Zoning Commission has been working on it for a few months. The Council reviewed the Ordinance and agreed that the section regarding tobacco was straightforward. Public Works Director Kirkland explained that the Planning and Zoning Commission has been reviewing the Title due to problems and discrepancies that have arisen including previously allowing half-acre lots in the Rural Residential zones without animals that had not been carried through to the Ordinance. Public Works Director Kirkland informed the Council that there is a resident that is wanting to create a new zone of RR2 that is more rural. Public Works Director Kirkland explained changes that were included. Changes in sidewalk cost-sharing policy were discussed and that the change was putting the practice into wording and requiring sidewalk on the whole frontage. The Rural Residential Zone RR2 was discussed regarding lot sizes and right-of-way, and maintenance. The concern about up keeping a larger lot and dealing with people wanting wells to irrigate a larger lot was discussed. Sidewalk requirements were discussed. Council Member Keel MOVED to adopt Ordinance 16-271 amending Title 12 pertaining to regulations of rural residential zones, tobacco specialty businesses, and sidewalk requirements. The Motion was SECONDED by Council Member Niles. Mayor Bunker asked if

there were any questions or comments regarding the motion. There being none, he called for a roll call. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Niles, and Council Member Western in favor.

#### Policy for Requirement of Sidewalk on New Construction

Public Works Director Kirkland read from the sidewalk policy and explained that it is unclear about some of the requirements. The issue of requiring sidewalk on new construction houses when the surrounding properties don't have it was discussed. Council Member Western brought up the safety issue of people walking in the street when there is no sidewalk. The Council discussed the difficulty of enforcing sidewalk installation if there are exceptions allowed and being tied into building permits. The Council discussed the differences between requiring sidewalk for new subdivisions versus building permits for single homes in the middle of already established subdivisions and how it effects the surrounding neighborhoods. That it would only be required on new primary construction and not for every building permit was discussed. The Council agreed that in order to progress forward all new construction houses would need to have sidewalk installed.

#### Policy for Community Center Usage

Mayor Bunker explained that the policy for the Community Center use requires a security deposit of \$200.00 that is reimbursed after an event with fees taken out if there is damage to the building or if it is not cleaned up. Mayor Bunker wanted to know the Council's opinion on charging it for non-profit events that have had the fee waived or for City employees. The Council discussed the security deposit and the purpose behind it. The Council agreed to charge the deposit across the board so that everyone has to pay it.

#### Bid Approval for Lights at Neighborhood Park

Public Works Director Kirkland went before the Council to explain that the light on poles out at the Neighborhood Park have rotted out around the base and due to the cost of replacing the lights, they had to be put out to bid. Public Works Director Kirkland stated that there had only been one local bid, but it was not the low bid or within the percentage of being the low bid to be awarded it. The low bid was Central Electric Supply. Public Works Director stated that the light replacement was budgeted for. Council Member Niles MOVED to accept the bid from Central Electric Supply for the seven light poles at the neighborhood park quote number 107295 in the amount of \$5,355.00. The motion was SECONDED by Council Member Chase. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Niles, and Council Member Western in favor.

#### Public Works Update

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Public Works Director Kirkland stated that since the last meeting the Public Works Department had got some chip seal done, helped haul materials for the construction of the new fire station, set up the shades for the car show, sidewalk installation at the City Offices, installed asphalt, and handles odds and ends. Public Works Director Kirkland informed the Council that the road in front of Bill and Shauna Nielson's house still needs sidewalk, but it has been paved and curbed and guttered and that the property owners on the road were participating in paying their portions of the cost of the road either up front or in installments with liens applied to three of properties. Public Works Director told the Council that Shawn Harris has gotten his building permit released and will be able to continue on construction without having to remove anything.

#### **OTHER BUSINESS**

Mayor Bunker stated that some members of the Good Sam club were recently in our city; they sent a packet of receipts to the Mayor filled with the receipts where they had spent money in Delta. The accompanying letter says that the total of it is \$2,467.69 down about \$700.00 from the year before. Mayor Bunker informed that they sent the information just to let the town know how much had been spent there.

The Mayor provided a review of the Community Night Out and stated that it had a better turn out than anyone had expected. Community First had appreciated the Council serving food and the City providing chairs.

The Mayor reminded the Council that there had been a six-month moratorium on ground and pole-mounted solar panels and that it would need to be worked on in the upcoming months. Mayor Bunker stated that it would be discussed by the Planning and Zoning Commission.

Mayor Bunker informed the Council that the Utah Airport Operators Association (UAOA) had had their meeting in Wendover the previous week. Mayor Bunker stated that he had met with John Sweeny from the Federal Office in Denver and that they had discussed that Delta City is on task for the next year and that the in Fiscal Year of 2018 plans can be made for the City's Airport runway and in 2019 possibly be in line for some money to help finance redoing the runway. Mayor Bunker stated that the airport has gotten hooked into the pressurized gas line this last week and should be setting the meter next week.

Mayor Bunker asked if anyone wanted to give an update on the League of Cities and Towns meeting. Mayor Bunker stated that a meeting had encouraged adjusting tax rates consistently and he noted that the City has not adjusted the tax rate in quite a while. Council Member Western informed the Council that she had attended a classes emphasizing water conservation, wild fire suppression, lawsuits, conditional use permits, and reviewed the key points of each. Council Member Niles informed the Council

that something he heard of at the ULCT conference that might be a good idea to try would be to have a barbeque at the City park and having all of the officers present and invite the community to come and get to know the local sheriff's deputies. The purpose would be to help foster community relations with the sheriff's department. Council Member Keel stated that it would be a good idea to include the local fire fighters and EMTs.

Public Works Assistant Director Stanworth informed the Council that the next week would be Fire Prevention Week and the fire station open house would be on Wednesday and wanted to know if it would be okay to shut down the road to the East of the fire station for the event. The Council approved of the road being shut down, as it has been in the past.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed, there were none. Council Member Western MOVED to adjourn the City Council meeting. The motion was SECONDED by Council Member Niles. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Niles, and Council Member Western in favor.

The meeting was adjourned at 8:50 p.m.

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GAYLE K. BUNKER, Mayor

**Minutes Approved:**

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GREGORY JAY SCHAFFER, Recorder